Carol Taylor Jefferson County Library Sys 306 E Broad St. Louisville, GA 30434

Billed Entity Number: 127333 Form 471 Application Number: 1023010 *

Form 486 Application Number:



Universal Service Administrative Company

Schools & Libraries Division

Administrator's Decision on Appeal - Funding Year 2015-2016

August 03, 2015

Carol Taylor Jefferson County Library Sys 306 E Broad St. Louisville, GA 30434

Re: Applicant Name:

JEFFERSON COUNTY LIBRARY SYS

Billed Entity Number: Form 471 Application Number: 127333 1023010

Funding Request Number(s):

2810171

Your Correspondence Dated:

July 02, 2015

After review of the information and documentation provided, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's funding commitment decision for the FCC Form 471 Application Number and funding requests number(s) FRN(s)) referenced above. This letter provides an explanation for USAC's decision. The date of this letter also begins the sixty (60) day time period for appealing this decision. If your Letter of Appeal included more than one FCC Form 471 Application Number, please note that you will receive a separate decision for each funding application.

Funding Request Number(s):

2810171

Decision on Appeal:

Denied

Explanation:

- During appeal review of your FCC Form 471 1023010 you requested that a new funding increase be added to your application. Program procedures allow applicants to amend their applications and correct ministerial and clerical errors on their FCC Forms (including funding increase requests) until an Funding Commitment Decision Letter (FCDL) is issued. Consequently, your appeal is denied since requests for funding increases cannot be submitted through the appeals process and after the issuance of the FCDL.
- Your appeal requests additional funds that were not included in the FCC Form 471 that you are appealing. FCC rules require that funding requests must be submitted via an FCC Form 471. See 47 C.F.R. sec. 54.504(a). Considerations for funding requests depend on the date the FCC Form 471 is received and the

amount of funds available if it is received after the close of the filing window. See 47 C.F.R. sec. 54.507(f). The FCC directed USAC to allow applicants to amend their forms to correct clerical and ministerial errors on their FCC Forms 470, FCC Form 471 applications, or associated documentation until an FCDL is issued. Such errors include only the kinds of errors that a typist might make when entering data from one list to another, such as mistyping a number, using the wrong name or phone number, failing to enter an item from the source list onto the application, or making an arithmetic error. See Schools and Libraries Universal Service Support Mechanism, CC Docket No. 02-6, Order, FCC 11-60 para. 5 (rel. April 14, 2011). Additional correctable errors can be found in the FCC Order DA 10-2354. See Requests for Waiver and Review of Decisions of the Universal Service Administrator by Ann Arbor Public Schools, Ann Arbor, Michigan, et al., Schools and Libraries Universal Service Support Mechanism, File Nos. SLD-542873, et al., CC Docket No. 02-6, Order, DA 10-2354 para. 2 (rel. December 16, 2010).

The FCC's Bishop Perry Order directed USAC "to provide all E-rate applicants with an opportunity to correct ministerial and clerical errors on their FCC Form 470 or FCC Form 471, and an additional opportunity to file the required certifications" without posting new FCC Forms 470 and 471. See Request for Review of the Decision of the Universal Service Administrator by Bishop Perry Middle School, New Orleans, Louisiana, et al., Schools and Libraries Universal Service Mechanism, File Nos. SLD-487170, et al., CC Docket No. 02-6, Order, 21 FCC Rcd 5316-5317, FCC 06-54 para. 23 (May 19, 2006) (Bishop Perry Order). As a result, USAC sends an applicant a Receipt Acknowledgement Letter (RAL) when the FCC Form 471 has been successfully data entered and provides the applicant with an opportunity to make allowable corrections to its FCC Form 471. See Ministerial & Clerical Errors posted in the Reference Area of the SLD section of the USAC website. Per the FCC's directive, applicants should be allowed to amend their forms to correct clerical and ministerial errors until a Funding Commitment Decision Letter (FCDL) is issued. Such errors include only the kinds of errors that a typist might make when entering data from one list to another, such as mistyping a number, using the wrong name or phone number, failing to enter an item from the source list onto the application, or making an arithmetic error. See Schools and Libraries Universal Service Support Mechanism, CC Docket No. 02-6, Order, FCC 11-60 para. 5 (rel. April 14, 2011). Additional correctable errors can be found in the FCC Order DA 10-2354. See Requests for Waiver and Review of Decisions of the Universal Service Administrator by Ann Arbor Public Schools, Ann Arbor, Michigan, et al., Schools and Libraries Universal Service Support Mechanism. File Nos. SLD-542873, et al., CC Docket No. 02-6, Order, DA 10-2354 para. 2 (rel. December 16, 2010). An applicant's request to remove entities from its application, when such removal would raise the average discount percentage for the relevant funding request above the funding threshold for that year, is not justifiable as a ministerial or clerical error. See Request for Waiver and Review of Decisions of the Universal Service Administrator by Alexander County School District, Taylorsville, North Carolina, et al., Schools and Libraries Universal Service Support Mechanism, File No. SLD-827833 et al., CC Docket No. 02-6, Order, DA 13-1383 para. 2 (rel. June 14, 2013).

If you wish to appeal this decision, you may file an appeal pursuant to 47 C.F.R. Part 54, Subpart I. Detailed instructions for filing appeals are available at: http://www.usac.org/sl/about/program-integrity/appeals.aspx.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division Universal Service Administrative Company erate 471 FY15-16

July 1, 2015

SLD Forms Attn: Form 500 3833 Greenway Dr Lawrence, KY 66046

To Whom it May Concern:

I am a new library director and finished filling out my first Form 471 in April 2014 for FY15-16. I tried to follow the form 471 that the previous director filled out last year, and it was very difficult because there were so many changes to this year's new forms.

This morning I got a call from the IT Program Manager at Georgia Public Library Service who reviews our 471 forms. She informed me that I had made a mistake when filling out the form 471 for FY15-16. I went back and looked at it and realized I did make a mistake. We have three library branches that have telephone and internet services with erate, and in the past we filed separately for each branch. Each branch gets \$1500.00 monthly for a total of \$4500.00. \$4500.00 X12 mths=\$54,000.00. This is the amount we should be getting. INSTEAD I filled

appeal the FYIS-16

July 2, 2015

To whom it may concern:

On July 2, 2015 at 10:00am I sent an appeal through your email site. I also added my email so that I could get a carbon copy. My carbon copy never appeared in my email so I am concerned that you may not receive the copy I sent you.

The way I sent the email was by going to www.usac.org and clicking on reference area; from there I clicked on appeals, I then scrolled down to the bottom of the page and clicked on appeal submitted by email. At that point the email form was on the screen with the to section already filled in: appeals@sl.universalservice.org. I added a CC to myself (which I never got) and also added an attached file with the forms I enclosed with this letter.

I am unsure if the email will get to you so I am sending a copy through the mail as a backup.

Thanks

Carol Taylor
Director
Jefferson County Library System
306 E Broad St
Louisville, GA 30434
478-625-3751
ctaylor@mail.jefferson.public.lib.ga.us

Patricia Edwards

To:

appeals@sl.universalservice.org

Cc: Subject: ctaylor@mail.jefferson.public.lib.ga.us Appeal of FY15-16 internet amount

Attachments:

Appeal FY15-16.htm

To whom it may concern:

July 2, 2015

Contact Info:

Name: Carol Taylor, Director

Address: 306 E Broad St, Louisville, GA 30434

Phone: 478-625-3751

Email: ctaylor@mail.jefferson.public.lib.ga.us

FCC form 471 Application #1023010

BEN: 127333

Billed entity FCC Registration Number (FCC RN): 002060953

I am a new library director and recently filled out my first Form 471 for FY15-16. I tried to follow the form 471 that the previous director filled out last year. It was very difficult because there were so many changes to this year's form.

This morning I got a call from the IT program manager at Georgia Public Library Service who reviews our 471 forms. She informed me that I made a mistake when filling out the form 471 for FY15-16. I checked the form and realized I did make a mistake. The mistake was in the internet section. This is the mistake: Our library system has three branches; each branch has internet service at a cost of \$1500.00 per month per branch which is a total of \$4500.00 per month. Multiply this times 12 and the amount we have been awarded by erate should be \$54,000.00 per year.

My mistake was to follow last year's form and in doing so I thought I was to list each of the three branches individually at \$1500.00 each for internet. I did not realize that I was supposed to lump all three branches together for a total of \$4500.00 so instead of getting erate approval for \$54,000.00 for FY15-16 year I got approval for \$18,000.00 for FY15-16 (which will only cover the cost of one branch).

We are in a 5 year contract with an internet and telephone provider: MacWorks (Marketing Advanced Communications Certificates, LLC). Their ID # is:143036937. We are approximately 2 years into the contract and the amount of money charged for phones and internet services will stay the same for the 5 year contract.

I am attaching a copy of our contract with MacWorks which includes a page listing their charges for phones and internet for the 5 year life of the contract. There have been no changes in the amount they charge. I am a new director and had no one to help me fill out the form 471; I apologize for making the mistake. Our library is in a very poor rural area and without the \$54,000.00 per year from erate the library system will have to close.

Again I am appealing for our internet approval amount to be changed from \$18,000.00 for FY15-16 to \$54,000.00 for FY15-16. Service start date 07/01/2015, service end date 07/01/2016.

I am attaching paperwork (including a copy of our contract with MacWorks) that I feel is relevant to the case, if I need to provide anything else, please let me know. I am including Item 21 attachment from funding year FY13-14 to show that

we have three branches at \$18,000.00 each per year for internet service for a total of \$54,000.00 yearly. We do have problems getting and sending emails so if there are any problems please let me know. If the attachment can't be opened, please let me know and I will resend. If you need more information, please let me know.

Also I am sending a copy by mail just in case this does not go through.

Thanks,

Carol Taylor, Director
Jefferson County Library System
306 E. Broad Street
Louisville, GA 30434
478-625-3751, fax 478-625-7683
www.jefferson.public.lib.ga.us





FORM 486 NOTIFICATION LETTER (Funding Year 2015: 07/01/2015 - 06/30/2016)

June 17, 2015

Carol Taylor
JEFFERSON COUNTY LIBRARY SYS
306 E Broad St
Louisville, GA 30434

Re: Form 486 Application Number: 1066135 Applicant's FCC Form 486 Identifier: jcls1234

This letter is to notify you that the Universal Service Administrative Company (USAC) has received and accepted an FCC Form 486, Receipt of Service Confirmation Form, from you. This notification is to confirm the information that you provided. This information is being shared with the service provider whose Service Provider Identification Number (SPIN) you identified on each Funding Request Number (FRN).

You may be receiving this letter to revise or correct a previous Form 486 Notification Letter. The information contained in this letter supersedes any previous notification you may have received, including, but not limited to, a previously adjusted Service Start Date or previously reduced funding commitment.

An explanation of the data provided in our letter reports is in the Guide to USAC Letter Reports posted in the Reference Area of our website. Complete program information, including invoice deadlines, is also posted on our website. You may also contact our Client Service Bureau toll-free by phone at 1-888-203-8100, by email using the Submit a Question link on our website, or toll-free by fax at 1-888-276-8736.

NEXT STEPS

Discuss with your service provider whether you would like discounts on your bills or to pay your bills in full and be reimbursed for discounts.

Applicants invoice USAC before the invoice deadline using the applicant invoice [FCC Form 472, Billed Entity Applicant Reimbursement (BEAR) Form] for reimbursements of discounts after paying the service provider bills in full. Service providers invoice USAC using the service provider invoice [FCC Form 474, Service Provider Invoice (SPI) Form] after billing applicants for their non-discount portion. Whichever method you choose, you must pay your non-discount portion, as stated in program rules. Program rules also require that participants maintain all documentation for at least five years after delivery of discount service.

TO APPEAL THE SERVICE START DATE/FUNDING COMMITMENT CHANGE DECISION

FORM 486 NOTIFICATION LETTER REPORT (Funding Year 2015)

Funding Request Number: 2794432

Form 471 Application Number: 1023010
Service Provider Name: Marketing Advanced Communications Certificates, LLC
Service Provider Identification Number: 143036937
Billing Account Number: 478-252-1366 LIB 002-T
Service Start Date: 07/01/2015

Funding Request Number: 2810171
Form 471 Application Number: 1023010
Service Provider Name: Marketing Advanced Communications Certificates, LLC
Service Provider Identification Number: 143036937
Billing Account Number: LIB 004, 005, 006
Service Start Date: 07/01/2015



AP486NL/Schools and Libraries/USAC

Page 3 of 3

06/17/2015





FUNDING COMMITMENT DECISION LETTER (Funding Year 2015: 07/01/2015 - 06/30/2016)

May 21, 2015

Carol Taylor JEFFERSON COUNTY LIBRARY SYS 306 E BROAD ST LOUISVILLE, GA 30434-1624

Re: FCC Form 471 Application Number: 1023010

Billed Entity Number (BEN): 127333

Billed Entity FCC Registration Number (FCC RN): 0020609053

Nickname: FY15-16

Thank you for your Funding Year 2015 application for Universal Service Support and for any assistance you provided throughout our review. The current status of the funding request(s) in the FCC Form 471 application cited above and featured in the Funding Commitment Report(s) (Report) at the end of this letter is as follows.

- The amount, \$19,350.00 is "Approved."

Please refer to the Report following this letter for specific funding request decisions and explanations. The Universal Service Administrative Company (USAC) is also sending this information to your service provider(s) so preparations can begin for implementing your approved discount(s) after you file FCC Form 486, Receipt of Service Confirmation and Children's Internet Protection Act and Technology Plan Certification Form. A guide that provides a definition for each line of the Report is available in the Guide to USAC Letter Reports in the Reference Area of our website.

NEXT STEPS

- Work with your service provider to determine if you will receive discounted bills or if you will request reimbursement from USAC after paying your bills in full.

Review Children's Internet Protection Act (CIPA) requirements.

- File FCC Form 486.
- Invoice USAC using the FCC Form 474, Service Provider Invoice (SPI) Form, or FCC Form 472, Billed Entity Applicant Reimbursement (BEAR) Form, as products and services are being delivered and billed.

TO APPEAL THIS DECISION:

If you wish to appeal a decision in this letter to USAC, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

- 1. Include the name, address, telephone number, fax number, and email address for the person who can most readily discuss this appeal with us.
- State outright that your letter is an appeal. Include the following to identify the USAC decision letter (e.g., FCDL) and the decision you are appealing: Appellant name,

Applicant name and service provider name, if different from appellant,

 Applicant BEN and Service Provider Identification Number (SPIN) - FCC Form 471 Application Number 1023010 and the Funding Request Number (FRN) or Numbers as assigned by USAC, "Funding Commitment Decision Letter for Funding Year 2015," AND

The exact text or the decision that you are appealing.

FUNDING COMMITMENT REPORT Billed Entity Name: JEFFERSON COUNTY LIBRARY SYS BEN: 127333

Funding Year: 2015

Comment on RAL corrections: The applicant did not submit any RAL corrections.

FCC Form 471 Application Number: 1023010

Funding Request Number: 2794432

Funding Status: Funded Service Type: Voice Services FCC Form 470 Application Number: 942920001114263

SPIN: 143036937

Service Provider Name: Marketing Advanced Communications Certificates, LLC

Contract Number: #005

Billing Account Number: 478-252-1366 LIB 002-T

Service Start Date: 07/01/2015

Service End Date: N/A

Contract Award Date: 03/13/2013 Contract Expiration Date: 06/30/2018

Shared Worksheet Number:

Number of Months Recurring Service Provided in Funding Year: 12 Annual Pre-discount Amount for Eligible Recurring Charges: \$4,500.00 Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00

Pre-discount Amount: \$4,500.00

Discount Percentage Approved by the USAC: 70% Funding Commitment Decision: \$3,150.00 - FRN approved as submitted

FCDL Date: 05/21/2015

Wave Number: 001

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2016

Consultant Name:

Consultant Registration Number (CRN):

Consultant Employer:

04543

GENERAL CONTRACT FOR SERVICES # 005

This Contract for Services (this "Contract") is made effective as of July 01, 2013, by and between Jefferson County Library System of 306 East Broad Street, Louisville, Georgia 30434, and Marketing Advanced Communications, LLC DBA MAC Works of 1163 Byron Burt Rd, Louisville, Georgia 30434. In this Contract, the party who is contracting to receive services will be referred to as "Jefferson County Library System, or JCLS" as the same and the party who will be providing the services will be referred to as "MAC Works."

 DESCRIPTION OF SERVICES. Beginning on July 01, 2013, MAC Works will provide to JCLS the following services (collectively, the "Services"):

Internet at 10 megs w/managed services, each location, total of three location, CIPA filtering, VOIP, Local and Long Distance (ConUS) phone service each location.

- PAYMENT FOR SERVICES. In exchange for the Services JCLS will pay compensation to MAC Works for the Services in monthly installment payment(s) of \$4,875.00 each, with tax included.
- TERM. This Contract will automatically renew on June 30, 2018 for 12 months, unless renewed prior to the termination date or notice of termination sixty days in advance of termination date.
- 4. REMEDIES. In addition to any and all other rights a party may have available according to law, if a party defaults by failing to substantially perform any provision, term or condition of this Contract (including without limitation the failure to make a monetary payment when due), the other party may terminate the Contract by providing written notice to the defaulting party. This notice shall describe with sufficient detail the nature of the default. The party receiving such notice shall have 60 days from the effective date of such notice to cure the default(s). Unless waived by a party providing notice, the failure to cure the default(s) within such time period shall result in the automatic termination of this Contract., Exception of Force Majure.
- 5. ENTIRE AGREEMENT. This Contract contains the entire agreement of the parties, and there are no other promises or conditions in any other agreement whether oral or written concerning the subject matter of this Contract. This Contract supersedes any prior written or oral agreements between the parties.
- 6. SEVERABILITY. If any provision of this Contract will be held to be invalid or unenforceable for any reason, the remaining provisions will continue to be valid and enforceable. If a court finds that any provision of this Contract is invalid or unenforceable, but that by limiting such provision it would become valid and enforceable, then such provision will be deemed to be written, construed, and enforced as so limited.

- 7. AMENDMENT. This Contract may be modified or amended in writing, if the writing is signed by the party obligated under the amendment.
- 8. GOVERNING LAW. This Contract shall be construed in accordance with the laws of the State of Georgia.
- 9. NOTICE. Any notice or communication required or permitted under this Contract shall be sufficiently given if delivered in person or by certified mail, return receipt requested, to the address set forth in the opening paragraph or to such other address as one party may have furnished to the other in writing.
- 10. ASSIGNMENT. Neither party may assign or transfer this Contract without the prior written consent of the non-assigning party, which approval shall not be unreasonably withheld.

11. Other.

- (A) Dynamic IP Services only (VOIP), customer represents and warrants that it will immediately notify and post alternative dialling instructions to the end users if any restrictions or limitations to access emergency 911 services a result from the actions including but not limited to (1) Loss of power, (B) system changes made by personnel engaged in servicing or adding equipment that change the location and or IP assignments of the phones in the system, to include the number of phones, circuit routing by other carriers, circuit schemes internally, call routing that may prevent access to emergency services (911). It is the responsibility of the JCLS to notify customers/end users/patrins of possible limited or no access to 911.
- (B) JCLS hereby grants MAC Works the authority to access JCLS networks/equipment and computer/phones for the purpose of testing and repair of any and all components owned or leased. MAC Works will not be responsible for loss of data or system crash as a result of service or repair/testing of JCLS.

Service Recipient:

Jefferson County Library System

Director

Mar 13,2013 3/13/13

Service Provider:

MAC Works

March 13,2013

Date

Price Structure

Internet

Louisville GA \$1,500.00 per month

Wrens GA \$1,500.00 per month

Wadley GA \$1,500.00 per month

Phones

All locations \$375.00 per month

Total Billing Each Month \$4,875.00 Tax included



Item 21 Attachment Internet Access - Funding Year 2013

Applicant Name

JEFFERSON COUNTY LIBRARY SYS

Billed Entity Number

127333

Form 471 Application Number

922578

Funding Request Number

2518851

Service Provider

Marketing Advanced Communications Certificates, LLC

Attachment Number

4

Narrative description of this Funding Request

Internet access for library branch and administration.

Service Type

Service Description

Eligible Pre-Discount Cost

Wireless Internet Access

Broadband wireless internet, 2.5 Mhz

\$18,000.00

Recurring Charges

Non Recurring Charges

Monthly Recurring Charges

Eligible recurring charges

\$1,500.00 One-time non-recurring charges

Number of InternetAccess Lines (if applicable)

\$0.00

Less Ineligible Amount (if any)

\$0.00 Less Ineligible Amount (if any)

\$0.00

0

Number of Months

12

\$18,000.00 Eligible non-recurring charges

\$0.00

Line Item TOTAL \$18000

Total:

\$18,000.00

Funding Requested on 471:

\$18,000.00

Date Submitted

3/13/2013 2:23:12 PM

Page 1 of 1



Item 21 Attachment Internet Access - Funding Year 2013

Applicant Name

JEFFERSON COUNTY LIBRARY SYS

Billed Entity Number

127333

Form 471 Application Number

922578

Funding Request Number

2518880

Service Provider

Marketing Advanced Communications Certificates, LLC

Attachment Number

Narrative description of this **Funding Request**

Internet access for branch library.

Service Type

Service Description

Eligible Pre-Discount Cost

Wireless Internet Access

Broadband wireless internt

\$18,000.00

- 2.5 Mhz

Number of InternetAccess Lines (if applicable)

0

Recurring Charges

Non Recurring Charges

\$0.00

Monthly Recurring Charges

Eligible recurring charges

\$1,500.00 One-time non-recurring charges

\$0.00

Less Ineligible Amount (if any)

\$0.00 Less Ineligible Amount (if any)

Number of Months

12

\$18,000.00 Eligible non-recurring charges

\$0.00

Line Item TOTAL \$18000

Total:

\$18,000.00

Funding Requested on 471:

\$18,000.00

Date Submitted

3/13/2013 2:24:59 PM



Item 21 Attachment Internet Access - Funding Year 2013

Applicant Name

JEFFERSON COUNTY LIBRARY SYS

Billed Entity Number

127333

Form 471 Application Number

922578

Funding Request Number

2518907

Service Provider

Marketing Advanced Communications Certificates, LLC

Attachment Number

Narrative description of this **Funding Request**

Internet access for the library branch.

Service Type

Service Description

Eligible Pre-Discount Cost

Wireless Internet Access

Broadband wireless internet, 2.5 Mhz

\$18,000.00

Number of InternetAccess Lines (if applicable)

Non Recurring Charges

0

Recurring Charges

\$1,500.00 One-time non-recurring charges

\$0.00

Less Ineligible Amount (if any)

Monthly Recurring Charges

Eligible recurring charges

\$0.00 Less Ineligible Amount (if any)

\$0.00

Number of Months

12

\$18,000.00 Eligible non-recurring charges

\$0.00

Line item TOTAL \$18000

Total:

\$18,000.00

Funding Requested on 471:

\$18,000.00

Date Submitted

3/13/2013 2:26:07 PM